

PATENT DOCKET: 207,361

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT:	VINES ET AL.	EXAMINER:
SERIAL NO.:	10/559,590	ART UNIT:
FILED:	December 2, 2005	
TITLE:	METHOD OF AND APPARATUS FOR MAGNETIC THERAPY	

August 18, 2006

**RESPONSE TO NOTIFICATION OF MISSING  
REQUIREMENTS UNDER 35 U.S.C. §371**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

**STATEMENT OF FILING BY EXPRESS MAIL 37 C.F.R. §1.10**

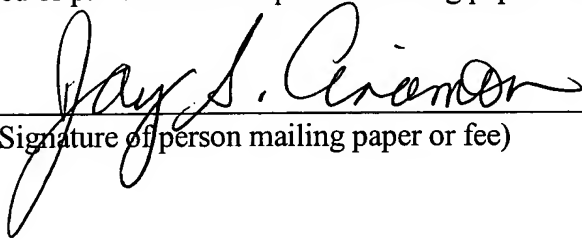
This correspondence is being deposited with the United States Postal Service on August 18, 2006 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number ER 059 676 096 US addressed to the Honorable Commissioner for Patents and Trademarks, Washington, DC 20231.

PETITION FOR TIME EXTENSION PURSUANT TO  
37 C.F.R. §1.136(a)

We request that the response term be extended from May 21, 2006 through  
August 21, 2006. We enclose the requisite fee of \$510 for a Small Entity. Please charge any  
other fees which may be due and which are not submitted herein to our Deposit Account  
No. 01-0035.

JAY S. CINAMON

(Typed or printed name of person mailing paper or fee)



(Signature of person mailing paper or fee)

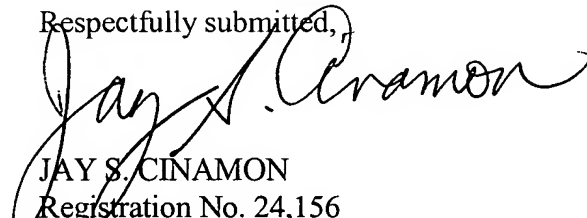
**REMARKS**

In response to the Notification of Missing Requirements, copy enclosed, submitted herewith is a Declaration which has been signed by one of the two joint inventors, namely, Peter Michael O'Neill. The other inventor, namely, John Edward Vines, has refused to sign. Attached is a Petition Under Rule 1.47(a) and a Statutory Declaration by Peter Michael O'Neill.

Enclosed herewith is a check covering the \$65.00 surcharge for the late filing of the Declaration by a small entity and a check for the extension fee for a three month extension by a small entity in the amount of \$510.00 as well as a third check to cover the fee for the Petition Under Rule 37 C.F.R. §1.47(a).

Please charge any other fees which may be due, and which have not been submitted herewith, to our Deposit Account No. 01-0035.

Respectfully submitted,

  
JAY S. CINAMON  
Registration No. 24,156  
Attorney for Applicants

**ABELMAN FRAYNE & SCHWAB**

666 Third Avenue

New York, New York 10017-5612

Tel. (212) 949-9022

Fax(212)949-9190

wd\ahearn\ 8 15 06 vines.rsp to notification of missg requ

08/24/2006 GFREY1 00000148 10559590

01 FC:2617 65.00 OP

08/24/2006 GFREY1 00000148 10559590

02 FC:2253 510.00 OP

8-21-06

PCT



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/559,590	John Edward Vines	207,361

INTERNATIONAL APPLICATION NO.

PCT/AU04/00707

I.A. FILING DATE

PRIORITY DATE

06/03/2004

06/03/2003

38137

ABELMAN, FRAYNE & SCHWAB BY  
666 THIRD AVENUE, 10TH FLOOR  
NEW YORK, NY 10017

DOCKETED ON 5/21/2006

DOCKETED WITHOUT FILE

ATTORNEY JSC

CONFIRMATION NO. 2716

371 FORMALITIES LETTER



\*OC000000018314354\*

Date Mailed: 03/21/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 12/02/2005
- Copy of the International Search Report filed on 12/02/2005
- Request for Immediate Examination filed on 12/02/2005
- U.S. Basic National Fees filed on 12/02/2005
- Priority Documents filed on 12/02/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/559,590	PCT/AU04/00707	207,361

FORM PCT/DO/EO/905 (371 Formalities Notice)